

conference); LCvR 26.1 (“Official Court-ordered and enforceable discovery does not commence until issuance of the scheduling order.”); LCvR 26.2 (“The parties shall not file any initial disclosures, designations of expert witnesses and their reports, discovery requests or responses thereto, deposition transcripts, or other discovery material unless: (1) directed to do so by the Court; (2) such materials are necessary for use in an in-court proceeding; or (3) such materials are filed in support of, or in opposition to, a motion or petition.”). The Motion will, therefore, be denied. The Plaintiff is instructed to familiarize himself with the Federal Rules of Civil Procedure, this Court’s Local Rules, and the Court’s Order of Instructions, and to comply with the same. [See Feb. 28, 2024 Text Entry (Order of Instructions)].

In his “Legal Request,”³ the Plaintiff asks the Court to appoint North Carolina Prisoner Legal Services (NCPLS) to assist him with discovery because he is a jail inmate with limited resources, and NCPLS is a nonprofit law firm that assists inmates with non-frivolous legal matters. There is no absolute right to the appointment of counsel in civil actions such as this one. Therefore, a plaintiff must present “exceptional circumstances” in order to require the Court to seek the assistance of a private attorney for a plaintiff who is unable to afford counsel. Miller v. Simmons, 814 F.2d 962, 966 (4th Cir. 1987). The Plaintiff has failed to do so and his request is denied. To the extent that the Plaintiff is asking the Court to appoint NCPLS pursuant to its Standing Order in Case No. 3:19-mc-60, it declines to do so because that Standing Order applies only to civil rights actions filed by North Carolina state prisoners against current or former employees of NCDPS.

³ The Plaintiff is reminded that he must seek relief from the Court by filing an appropriate “Motion.” [See Feb. 26, 2024 Docket Entry (Order of Instructions)]. Any future filing that is not clearly titled a “Motion” will not receive a response from the Court.

IT IS, THEREFORE, ORDERED that the Plaintiff's pending Motions [Docs. 17, 18] are **DENIED.**

IT IS SO ORDERED.

Signed: July 22, 2024

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

